

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

KT IMAGING USA, LLC,

Plaintiff,

v.

HANWHA TECHWIN CO., LTD.,

Defendant.

Civil Action No.: 6:22-cv-00874

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff KT Imaging USA, LLC (“KTI” or “Plaintiff”), by way of this Complaint against Hanwha Techwin Co., Ltd. (“Hanwha” or “Defendant”), alleges patent infringement by the Defendant as set forth herein.

RELATEDNESS TO OTHER CASES

1. This action is related to other actions considered by the District Court for the Western District of Texas, Waco Division. Specifically, KT Imaging asserted both U.S. Patent No. 8,004,602 and U.S. Patent No. 8,314,481 (“Patents-in-Suit”) in other actions that it had previously filed in in the Waco Division, and the Waco Division Court had construed claims of both of those Patents-in-Suit. The Waco Division Court had also considered numerous motions, including a motion relating to an expert report, and resolved disputes between parties relating to the technology at issue in these patents. The following is a list of KT Imaging actions involving both Patents-in-Suit considered by the Waco Division Court:

- *KT Imaging USA, LLC v. Acer Amer. Corp. et al.* (6:20-cv-299) (Claim Construction Order, Dkt. 43, Albright, J.);

- *KT Imaging USA, LLC v. AsusTek Computer Inc.* (6:20-cv-300) (Claim Construction Order, Dkt. 40, Albright, J.);
- *KT Imaging USA, LLC v. Microsoft Corp.* (6:21-cv-1000); and
- *KT Imaging USA, LLC v. Apple Inc.* (6:21-cv-1002).

The following is a list of KT Imaging actions involving the '602 Patent:

- *KT Imaging USA, LLC v. Google LLC* (6:21-cv-1003); and
- *KT Imaging USA, LLC v. Dell Tech. Inc. et al.* (6:21-cv-1004).

PARTIES

2. Plaintiff KT Imaging USA, LLC is a limited liability company organized and existing under the laws of the State of Texas, having its principal place of business at 106 E 6th Street, Suite 900, Austin, TX 78701.

3. On information and belief, Defendant Hanwha Techwin Co., Ltd. is a corporation organized and existing under the laws of the Republic of Korea with an address at 6, Pangyo-ro 319beon-gil, Bundang-gu, Seongnam-si, Gyeonggi-do, Republic of Korea.

JURISDICTION AND VENUE

4. This is an action under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*, for infringement by Defendant of claims of U.S. Patent No. 8,004,602 and U.S. Patent No. 8,314,481 (collectively, “the Patents-in-Suit”).

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Defendant Hanwha is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief (i) Hanwha has committed and continues to commit acts of patent infringement in the State of Texas, including by making, using, offering to sell, selling, and/or importing the accused products into Texas including in this Judicial District; (ii) Hanwha purposefully supplies and directs the accused products for storage, warehousing, and/or sales by

distributors and resellers in the State of Texas including in this Judicial District; (iii) Hanwha delivers its products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas; and (iv) Hanwha uses its trademark on the accused products sold in the State of Texas.

7. In addition, or in the alternative, this Court has personal jurisdiction over Hanwha pursuant to Fed. R. Civ. P. 4(k)(2).

8. Venue is proper in this district under 28 U.S.C. 1391(c) because, *inter alia*, Hanwha is a foreign corporation.

BACKGROUND

9. On August 23, 2011, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,004,602 (“the ’602 Patent”), entitled “Image Sensor Structure and Integrated Lens Module Thereof.”

10. On November 20, 2012, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,314,481 (“the ’481 Patent”), entitled “Substrate Structure for an Image Sensor Package and Method for Manufacturing the Same.”

11. KTI is the assignee and owner of the right, title, and interest in and to the Patents-in-Suit, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement it.

12. Hanwha has infringed and continues to infringe the Patents-in-Suit by making, using, selling, or offering for sale in the United States, or importing into the United States video technology products, such as security cameras, with image sensors.

COUNT I: INFRINGEMENT OF THE ’602 PATENT BY HANWHA

13. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

14. On information and belief, Hanwha has infringed the ’602 Patent pursuant to 35 U.S.C. §

271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products, including Wisenet P series camera line, Wisenet T series camera line, Wisenet Q series camera line, Wisenet A series camera line, Wisenet HD+ series camera line, Wisenet L series camera line, Wisenet X series camera line, including Wisenet Lens Module SLA-T4680V, SmartCam N2 SNH-P6416BN, SmartCam N1 SNH-P6415BN, SmartCam HD Pro SNH-P6410BN, SmartCam D1 SNH-V6435DN, BabyView Eco PT SEW-3049W, BabyView Eco SEW-3048WN, BabyView Eco Flex SEW-3048W, 1080p Full HD IR Bullet camera SDC-79443BF, 4MP Weather-Resistant IR Bullet Camera SDC-89440BF, 5MP Weather-Resistant IR Bullet Camera SDC-89445BF, SDC-5340BC, SDC-79446BF, Digital Color Camera SDC-99447BF, SNC-79447BW, and all other products with substantially similar imaging sensors.

15. For example, on information and belief, Hanwha has infringed and continues to infringe at least claim 1 of the '602 Patent by including an image sensor structure with an integrated lens module in the Accused Products including the Hanwha Wisenet Digital Color Camera (SDC-99447BF). *See* Ex. 1 (cross-sectional image of the Hanwha Wisenet Digital Color Camera image sensor). The image sensor structure in the Accused Products comprises a chip having a plurality of light-sensing elements arranged on a light sensing area of a first surface of the chip, a plurality of first conducting pads arranged around the light-sensing area and electrically connected to the light-sensing elements, and at least one conducting channel passing through the chip and electrically connected to the first conducting pads at one end as well as extending along with a second surface of the chip. *See* Exs. 2-5 (images of the Hanwha Wisenet Digital Color Camera image sensor with the internal components exposed and cross-sectional images of the Hanwha Wisenet Digital Color Camera image sensor). The image sensor structure in the

Accused Products comprises a lens module comprising a holder having a through hole and a contact surface on a bottom of the holder, wherein the contact surface is combined with the first surface, and at least one lens completely embedded inside the through hole and integrated with the holder. *See* Exs. 1, 6 (cross-sectional images of the Hanwha Wisenet Digital Color Camera image sensor).

16. On information and belief, Hanwha has induced infringement of the '602 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

17. On information and belief, Hanwha has committed the foregoing infringing activities without a license.

COUNT II: INFRINGEMENT OF THE '481 PATENT BY HANWHA

18. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

19. On information and belief, Hanwha has infringed the '481 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products and all other products with substantially similar imaging sensors.

20. For example, on information and belief, Hanwha has infringed and continues to infringe at least claim 1 of the '481 Patent by including a substrate structure for an image sensor package in the Accused Products including the Hanwha Wisenet Lens Module (SLA-T4680V). *See* Ex. 7

(cross-sectional image of the Hanwha Wisenet Lens Module image sensor). The substrate structure in the Accused Products comprises a bottom base having an upper surface formed with a plurality of first electrodes, and a lower surface formed with a plurality of second electrodes, wherein an insulation layer is coated between first electrodes and in direct surface contact with the upper surface of the bottom base. *See* Exs. 8, 9 (image of the Hanwha Wisenet Lens Module image sensor with the internal components exposed and cross-sectional image of the Hanwha Wisenet Lens Module image sensor). The substrate structure in the Accused Products comprises a frame layer arranged on and in direct surface contact with the first electrodes and the insulation layer to form a cavity together with the bottom base, wherein the insulation layer is interposed between the bottom base and the frame layer. *See* Exs. 8, 9 (image of the Hanwha Wisenet Lens Module image sensor with the internal components exposed and cross-sectional image of the Hanwha Wisenet Lens Module image sensor).

21. On information and belief, Hanwha has induced infringement of the '481 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

22. On information and belief, Hanwha has committed the foregoing infringing activities without a license.

PRAYER FOR RELIEF

WHEREFORE, KTI prays for judgment in its favor against Hanwha for the following relief:

- A. Entry of judgment in favor of KTI against Hanwha on all counts;
- B. Entry of judgment that Hanwha has infringed the Patents-in-Suit;
- C. An order permanently enjoining Hanwha from infringing the Patents-in-Suit;
- D. Award of compensatory damages adequate to compensate KTI for Hanwha's infringement of the Patents-in-Suit, in no event less than a reasonable royalty as provided by 35 U.S.C. § 284;
- E. KTI's costs;
- F. Pre-judgment and post-judgment interest on KTI's award; and
- G. All such other and further relief as the Court deems just or equitable.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Fed. R. Civ. P., Plaintiff KTI hereby demands trial by jury in this action of all claims so triable.

Dated: August 22, 2022

/s/ Dmitry Kheyfits

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